



VPI00-115 US #7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Not Yet Assigned  
Group Art Unit: Not Yet Assigned  
Applicant: Keisuke Kuida, et al.  
Serial No.: 09/888,182  
Filing Date: June 22, 2001  
For: ERK-5 DEFICIENT ANIMALS AND  
METHODS OF INHIBITING  
ANGIOGENESIS THROUGH THE  
INHIBITION OF ERK-5

Cambridge, Massachusetts  
October 15, 2001

Hon. Assistant Commissioner  
For Patents  
Washington, D.C. 20231

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OCT 25 2001

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PETITION UNDER 37 CFR 1.53(b)

As indicated in the Notice of Incomplete Nonprovisional Application dated August 23, 2001, the filing date has been withheld on the above-identified application due to the application being filed without Figures 1 through 6 which are referred to in the specification. Applicant inadvertently omitted Figures 1 through 6 in the above-identified application as filed. Because Figures 1 through 6 are not necessary for the understanding of the subject matter sought to be patented, said Figures do not fall under the scope of USC §113 (first sentence). In order to rectify the inadvertent error, applicant has concurrently submitted

10/22/2001 GTEFFERA 00000073 500725 09888182  
01 FC:122 130.00 CH

Adj. adjustment date 09/11/2002 AKELLEY 00000008 500725  
04/17/2002 WARBRAM 00000030 130.00 CH  
01 FC:122  
09/11/2002 AKELLEY 00000008 500725  
04/17/2002 WARBRAM 00000030 130.00 CH  
01 FC:105

herewith a preliminary amendment to amend the specification to delete all reference to said Figures.

Applicants respectfully request that the filing date of June 22, 2001 be granted for the above-identified application.

Applicants authorize the Commissioner to charge any petition fee due to Deposit Account No 50-0725. Because the application is entitled to the original filing date of June 22, 2001, applicants request, under 37 CFR 1.26(a), a refund of any petition fee charges to be credited to Deposit Account No. 50-0725.

Respectfully submitted,



Andrea L. C. Robidoux (Reg. No. 47,902)  
Agent for Applicants  
C/O Vertex Pharmaceuticals Inc.  
130 Waverly St.  
Cambridge, MA 02139-4242  
Tel: (617) 444-6731

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